

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUDY DOMINGUEZ-OSORIO,

Petitioner,

v.

STATE OF ARIZONA,

Respondent.

Case No. [18-cv-02336-JSC](#)

ORDER OF TRANSFER

The Clerk of this Court received a pleading from Petitioner, a prisoner of the State of Arizona proceeding pro se, in which he asserts his innocence and requests “assistance” from the Court in releasing him from custody and vacating his conviction. Petitioner may challenge in federal court the validity of a criminal judgment from a state court on the grounds that it violates federal law by filing a petition for a writ of habeas corpus. *See* 28 U.S.C. § 2254. The district of conviction and the district of confinement have concurrent jurisdiction to entertain a petition for a writ of habeas corpus. *See* 28 U.S.C. § 2241(d). The District of Arizona has jurisdiction over a federal habeas petition challenging Petitioner's state court conviction because that is where Petitioner was convicted and is presently incarcerated. The district court for the district where the petition is filed may transfer the petition to the other district in the furtherance of justice. *See id.*

Accordingly, in the interest of justice, this case is TRANSFERRED to the United States District Court for the District of Arizona.¹ The Clerk shall transfer this matter forthwith.

¹ Although Petitioner refers in his pleading to the United States Court of Appeals in several instances, the Clerk filed it in this Court because Petitioner mailed it here. In any event, a federal habeas petition must be filed in the district court, not in the Court of Appeals.

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IT IS SO ORDERED.

Dated: April 23, 2018


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUDY DOMINGUEZ-OSORIO,

Plaintiff,

v.

STATE OF ARIZONA,

Defendant.

Case No. [18-cv-02336-JSC](#)

CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 23, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Rudy Dominguez-Osorio ID: ADOC 129071
Arizona State Prison Complex
Rast/Lewis
P.O. Box 3600
Buckeye, AZ 85326

Dated: April 23, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY